North Eastern Railway
Katihar Division

Eastern Railway
Dhanbad, Danapur & Mughalsarai Divisions

South Eastern Railway
Chakradharpur Division.

Amendments to I.P.C.

4925. SHRI I.D. SWAMI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Standing Committee on Home Affairs in their 25th report on the Criminal Law (second amendment) Bill, 1995 had recommended amendments to the Indian Penal Code to empower the Courts to order payment of compensation to a victim of unlawful arrest or illegal detention; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) Yes, Sir.

(b) A copy of the 25th Report of the Standing Committee on Home Affairs on the Criminal Law (Second Amendment) Bill, 1995 is given in the statement attached. The Bill which was introduced in the Lok Sabha on 21st August, 1995, lapsed due to adissolution of the Xth Lok Sabha.

STATEMENT

Twenty-Fifth Report of Committee on Home Affairs on the Criminal Law (Second Amendment) Bill, 1995

1. the Chairman of the Committee on Home Affairs, having been authorised by the Committee, present this Twenty-fifth Report of the Committee relating to the Criminal Law (Second Amendment) Bill, 1995. The Bill seeks to further amend the Indian Penal Code 1860, the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872.

2. In pursuance of the Rules relating to the Department-related Parliamentary Standing Committee, the Chairman, Rajya Sabha, in consultation with the Speaker, Lok Sabha, referred the Criminal Law Second Amendment) Bill, 1995, as introduced in the Lok Sabha on the 21st August, 1995 and pending therein, to the Committee for examination and report.

3. The Committee invited the Secretary, Ministry of Home Affairs, to make a presentation on the various provisions of the Bill. Accordingly, he made a presentation before the Committee on the 21st November, 1995. During his presentation, he explained the Salient features of the Bill and the circumstances necessitating the present legislation.

4. The Committee took up clause-by-clause consideration of the Bill in its meeting held on the 22nd November, 1995.

5. The Committee considered and adopted the Report in its meeting held on the 4th December, 1995.

6. The principal changes suggested by the Committee in the Bill and the reasons therefor are set out hereinafter:—

Clause 2

Clause 2 of the Bill seeks to amend Section 220 of the Indian Penal Code, relating to punishment for corrupt or malicious commitment for trial or confinement by persons having authority. As stated in the Statement of Objects and Reasons to the Bill, India became a signatory to the International Covenant on Civil and Political Rights in 1979. Para 5 of Article 9 of the said Covenant envisages an enforceable right of compensation for illegal detention etc. At present, there is no provision for payment of compensation to a victim of unlawful arrest or unlawful detension. To fulfil this obligation, an amendment is proposed in the Indian Penal Code, 1860 to make a provision for payment of compensation to such victims. In the proposed amendment, a limit has been fixed that the Court may award compensation not exceeding the amount of fine which that Court is empowered to impose. The Committee, while appreciating the object of the proposed amendment, is of the view that there should not be any limit on the amount of Compensation to be awarded to the victims. Rather it should be proportionate to the period of unlawful detention or confinement undergone by the victims. The Committee is also of the view that there should be a provision for payment of interest in the event of delayed payment of compensation amount. The Committee recommends that Clause 2 be amended accordingly.

7. The Committee agrees with the provisions contained in the remaining Clauses of the Bill.

8. The Committee recommends that the Bill, as reported by it, be passed.

New Delhi
December 4, 1995

RAJNI RANJAN SAHU
CHAIRMAN
Committee on Home Affairs.

[Translation]

Issue of Arms Licence

4926. SHRI PANKAJ CHOWDHARY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government are aware that take arms licences have been issued in large number in Deoria in Uttar Pradesh since June, 1995;

(b) if so, the details thereof;

(c) whether any inquiry has been conducted in this regard;

(d) if so, the outcome thereof; and

(e) the action taken against the persons found guilty?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): (a) to (e) The information is being collected and will be laid on the Table of the House.

Double Track and Broad Guage Line

4927. SHRI TARACHAND BHAGORA: Will the Minister of RAILWAYS be pleased state:

(a) the number of railway stations in the country connected with the double track and broad guage railway line; and

(b) the expenditure incurred thereon, so far?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SATPAL MAHARAJ): (a) and (b) There are 7056 railway stations in the country connected by 62660 Kms. of railway lines, of which 39612 route Kms. are on broad guage, including 14995 Kms. of double lines on BG. It is not feasible to furnish station-wise information.

[English]

Guage Conversion

4928. SHRI DINSHA PATEL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the conversion of the Nadiad-Kapadvanj Railway line from metre gauge to broad gauge was sanctioned in the year 1960 and the construction on this line has not even taken place so far;

(b) whether the matter has since been investigated into;

(c) if not, the reasons therefor;

(d) whether the Government propose to investigate the matter now and place the full fact on the table of the House;

(e) if so, the details thereof; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SATPAL MAHARAJ): (a) to (f) No, Sir. It was sanctioned in the year 1978-79. Gauge Conversion of Nadiad-Kapadvanj section was completed in January, 1993 and new line works between Kapadvanj-Modasa has been taken up. The work has been proceeding slowly/ remained frozen due to constraint of resources and relatively lower operational priority of this line.

Police Welfare Memorial Funds

4929 SHRI RADHA MOHAN SINGH:
SHRI SHANTILAL PARSOTAMDAS PATEL:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether two police welfare memorial funds are still being contributed to even today though they had been begun to commemorate "laudable services" of Mr. Handyside and Mr. Saunders notorious for committing atrocities on the Indian including Lala Lajpat Rai; and

(b) if so, the reaction of the Government thereto?

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA) : (a) and (b) The information is being collected and will be laid on the Table of the House.

[Translation]

Official Language Parliamentary Committee

4930. SHRI ANAND RATNA MAURYA:
SHRI VIJAY GOEL:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the recommendations of the official language Parliamentary Committee have been implemented in all the Government departments/Education Institutions; and

(b) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MOHD. MAQBOOL DAR): (a) and (b) Orders have been issued by the Hon'ble President on the recommendations contained in four parts of the report submitted by the Committee of Parliament on Official Language. Most of the orders are being implemented.

[English]

Leela Seth Commission

4931. SHRI N.K. PREMCHANDRAN:
SHRI SOUMYA RANJAN:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the terms of reference of Leela Seth Commission enquiring into the matters relating to the death of Rajan Pillai;